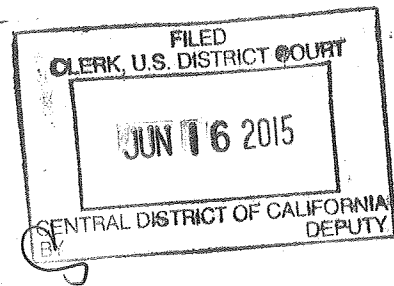


Bradley S Pitts Am6465  
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 CUSP Blythe CA92226



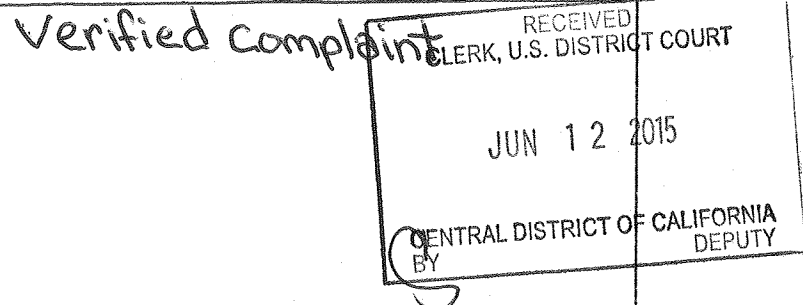
United States District Court  
 Central District of California

Bradley S Pitts

CASE NO. EDU15-1174-DDP MRW  
 42 U.S.C. 1983

Civil Rights Action  
 Demand for Jury trial

✓  
 K. Seibel warden  
 ERIC Anderson CEO  
 DR. Karan CPTs  
 DR LEE CME  
 DR ANG Physician  
 DR. Murakonda-PCP



1 This is a civil action authorized by  
 42 USC. 1983 to redress the deprivation, under  
 color of state law of rights secured by the  
 Constitution of the United States. The  
 Court has jurisdiction under 28 USC section  
 1331 and 1343 (a)(3) and USC section 2201  
 and 2202 and 42 U.S.C.A. ece) and 42  
 USCA 1997 ece) Plaintiff Pitts seeks  
 declaratory relief pursuant to 2201 and  
 2202 of the rules of Civil Procedure.

2 The central District of California is an  
an appropriate venue under 28 U.S.C. section  
1391(b)(2) because it is where the even giving  
rise to this claim occurred

## II Plaintiff

3 Plaintiff Pitts is and was at all times mentioned  
herein a prisoner of California Department of  
Corrections at Chuckawalla Valley State Prison  
Blythe CA.

## III Defendants

4 Defendant Kimberley Seibel is the Warden  
of Chuckawalla Valley State Prison. She is  
legally responsible for the operation of  
CVSP and the welfare of all inmates of that  
prison.

5 Defendant Dr. Murakonda is the Primary  
Care Provider of Chuckawalla Valley State  
Prison who is at all times mentioned in  
in this complaint held the Rank of Primary  
Care Provider for "B" yard

### III Defendants

6 Defendants Eric Anderson, DR LEE CMO,  
7 DR Karan CPTS DR ANG Physician and Surgeon  
8 are the Review Committee at CVSP who at all  
9 times mentioned in this complaint at held  
10 Rank of Review committee and assigned to  
11 CVSP

12  
13  
14 7 Each Defendant is sued individually and in  
15 his official capacity. At all times mentioned  
16 in this complaint each defendant acted under  
17 the color of state law

### III Facts

18 On 8-20-2014 Plaintiff has been suffering from  
19 neck, arm, hand pain from an injury occurring  
20 in 2014 while in custody he was seen by prison  
21 medical staff locally who initially prescribe  
22 medication / therapy on 9-11-2014 after (5)  
23 sessions therapy the aforesaid problems still  
24 persisted. As such the Plaintiff informed local  
25 prison medical staff of this (no alleviation  
26 of pain via medication / therapy).



### III facts

On several occasions Plaintiff Pitts informed Defendant Dr Murkonda of his sever disabling injury to his left arm that affects Plaintiff Pitts everyday living standard sleeping, dressing, eating, showering, TV and using the toilet

In California Code of Regulations title 15 Section 3350(4) Sever Pains mean a degree of discomfort that significantly disable the patient from reasonable independent function.

Defendant Dr Murakonda prescribed medication Trileptal, Tegretol, carbamazepine, Tylenol, IBuprofen, Oxcarbazepine, Sulindac, Naproxen and none of these medications worked to no allievaiton of Pain

On 2-4-2015 Plaintiff Pitts recieved an MRI the results revealed a Large disk Herniation at C-3-4 to the left side with Sever compression of the cord and deformation of the cord and moderate Stenosis at C-5-6 over to left side

(4)

### III facts

1 On 3-19-2015 Plaintiff Pitts had an appoin-  
 2 ment at Tri city Hospital with /Neurologist  
 3 13 DR Yoo. The Docotor examine and went  
 4 over the results of the MRI and informed  
 5 Plaintiff Pitts that he would need surgery  
 6 to stop the sever pain and would sche-  
 7 dule Surgery soon as possible.

8 On 4-21-2015 Plaintiff Pitts had an appoin-  
 9 ment with Defendant Dr. Murakonda she  
 10 14 informed Plaintiff Pitts that the pending surgery  
 11 was denied as unnecessary and is a elective and  
 12 could be treated with pain medications and  
 13 that Plaintiff Pitts would be paroled in  
 14 7-15-2015

### 16 In the Plata book Serious Medical Needs 17 State!

18 15 A serious medical need exist when failure to  
 19 treat an inmates physical condition may result  
 20 in further significant injury or the unnecessary  
 21 and unwanton of pain. *Letty. Penner* 439 F3d 1091,  
 22 1096 (9th cir 2006). The existence of an injury  
 23 that a reasonable doctor or patient would find  
 24 worthy of comment or treatment. The presents  
 25 of chronic and substantial pain are examples of  
 26 Indications that a prisoner has a serious  
 27 need for medical treatment  
 28



### III Facts

1 On 4-29-2015 Plaintiff Pitts felt something pop  
2 in his neck and experienced worse pain than  
3 usual Plaintiff Pitts went to the medical window  
4 16 at 6:30 am and explain to the medical staff the  
5 severe pain that Plaintiff Pitts was in.

6 The medical staff told Plaintiff Pitts to  
7 come back at 8:00 am and turned him away  
8 17 Plaintiff returned at 8:30 am and was  
9 turned away again. Around 9:30 am Plaintiff  
10 Pitts informed Correction Officer Willey that  
11 he was in severe pain and Officer Willey  
12 called medical and he got the same response  
13

14  
15 18 Around 10:45 am Plaintiff Pitts couldn't take  
16 the suffering from severe pain and went  
17 Emergency "man" down.

18 With Corrections Officer Willey standing  
19 19 by RAI Kailian was the first responder when  
20 she arrived started telling Plaintiff Pitts  
21 that he was faking and lying about being  
22 in pain without offering assistance or  
23 examine Plaintiff Pitts  
24

25 20 After 3 to 4 minutes of being belittled by  
26 RAI Kailian Plaintiff Pitts told her if she was-  
27 n't there to help to leave and leave me alone  
28

### III facts

In the California Code of Regulations title 15(3391) Employee Conduct:

21 Employees shall be courteous and professional in their dealings with inmates, parolee, fellow employees, visitors and members of public.

Inmat and parolees shall be addressed by their proper name and never by derogatory or slang reference. Prison numbers shall be used only with names to summon inmates via public address system. Employees shall not use indecent, abusive, or otherwise improper language while on duty. Irresponsible or unethical conduct or conduct reflecting discredit on themselves or the department, either on or off duty. Shall be avoided by all employees.

22 On 5-3-2015 Plaintiff Pitts puts in medical slip seeking medical treatment complaining the medication is not working and can't raise left arm overhead, can't take a shower like normal people and can't carry tray in show hall to eat.

23 On 5-19-2015 Plaintiff Pitts put in medical a slip for Radiating pain from thigh to foot and medication does not work



## LEGAL CLAIMS

1 Defendants showed a Deliberate Indifference  
2 to the Plaintiff's serious medical need by denying  
3 24 Surgery that left him suffering from severe  
4 disabling pain Emotional Distress Violating  
5 Plaintiff's right under the Eighth Amendment  
6 to the United States Constitution under cruel  
7 and unusual punishment. And Fourteenth  
8 Amendment to United States Constitution  
9 under due process.

10  
11  
12 Defendant DR Murakonda showed Deliberate  
13 Indifference when she failed to listen to  
14 25 the Plaintiff on his deteriorating condition  
15 that left the Plaintiff suffering from severe  
16 pain with inadequate medications and insufficient  
17 medical treatment that violated the Plaintiff  
18 Eighth Amendment to the United States  
19 Constitution And California code of Regulation  
20 3350(c)(4)

21  
22 26 Plaintiff Pitts has no plain adequate or complete  
23 remedy at law to redress the wrongs described herein  
24 Plaintiff has been and will continue to be irreparably  
25 injured by the conduct of the defendants unless  
26 this grants the declaratory and punitive damages  
27 which Plaintiff seeks  
28



## V LEGAL CLAIMS

1 Defendants had sufficient time to schedule  
2 Plaintiff Pitts for surgery the Defendants had  
3 confirmation on Plaintiff Pitts in June On  
4 2-4-2015. The Defendants scheduled the  
5 27 Plaintiff to see the Neurologist on 3-19-2015.  
6 The Neurologist wanted to schedule Surgery  
7 soon as possible to allieviate the Suffering from  
8 severe pain the Plaintiff been experiencing. The  
9 Medical Review committee had four months  
10 to schedule the Plaintiff surgery but instead  
11 They showed a Medical Indifference by  
12 ignoring the Suffering from severe disabling pain  
13 the Plaintiff was going through. The Plaintiff  
14 has been prescribe numerous medications  
15 Since 8-13-2014 and none worked no allieviation  
16 of severe Pain. The Medical Review committee  
17 showed prejudice when it came to Plaintiff  
18 injury to the fact that Plaintiff will be Paroling  
19 in 7-15-2015  
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1 Defendant DR Lee Chief medical officer is a member  
2 of the Medical Review committee that showed a  
3 Deliberate Indifference to the Plaintiff Serious Medical  
4 Needs by ignoring the severe chronic Pain the Plaintiff  
5 been going through. On 2-4-2015 the Defendants  
6 had four months and confirmation of the injury  
7 and a request for surgery was submitted by the  
8 Neurologist stating that the Plaintiff has a severe  
9 Disk Herniation at C-3-4 to the left side with a severe  
10 Compression of the cord and Deformation of the cord.  
11 And moderate stenosis at C-5-6 to the left side and  
12 has pain running down his upper extremity down to  
13 the thumb and first finger and next finger of his left  
14 hand. And has spontaneous twitching and spasm of the  
15 left upper extremity. DR Lee denied surgery as an  
16 elective and pain could be manage with medications  
17 and that the Plaintiff will be Paroling on July 15 2015.  
18 The Plaintiff has been prescribe Several medications  
19 and none worked to allieviate the sever pain that the  
20 Plaintiff been going through. DR Lee said there wont  
21 be enough time to schedule surgery the Defendants  
22 had Sufficient time from when they discovered the  
23 injury in 2-4-2015 from MRI results the Defendants  
24 failed to act appropriately to the Plaintiff injury  
25 and the suffering from severe pain Since 8-20-2014.  
26 The Defendant Violated the Plaintiff rights under  
27 the Eighth Amendment to the United States  
28 Constitution under cruel and unusual punishment

1 Deliberate Indifference, Serious Medical Needs, Negligence  
2 Emotional Injury  
3

4 And fourteenth Amendment to the United States  
5 Constitution under due process  
6

7 And California code of Regulations title 15  
8 Section 3350(4)  
9



1 Defendant DR Karan Chief Physician and Surgeon  
2 is a member of the medical Review committee that  
3 showed a Deliberate Indifference to the Plaintiff  
4 Serious Medical Needs by ignoring the Severe Chronic  
5 Pain the Plaintiff been going through. On 2-4-2015  
6 the Defendants had four months and conformation  
7 of the injury and a request for surgery was  
8 submitted by the Neurologist stating that the  
9 Plaintiff has a severe Disk Herniation at C-3-4 to  
10 the left side with a severe compression of the cord and  
11 Deformation of the cord. And moderate stenosis at C-5-6  
12 to the left side and has pain running down his left upper  
13 extrimity down to the thumb and first finger and next  
14 finger of his left hand. And has spontaneous twitching  
15 and spasm of the left upper extremity. DR Karan  
16 denied surgery as it a elective and pain could be  
17 manage with medication and that the Plaintiff will  
18 be Paroling on July 15, 2015. The Plaintiff has been  
19 prescribe several medications and none worked to  
20 Allieviate the severe pain that the Plaintiff been going  
21 through. DR Karan said there wont be enough time  
22 to schedule surgery the Defendants had sufficient  
23 time from when they discovered the injury in 2-4-2015  
24 from the MRI results the Defendants failed to  
25 act appropriately to the Plaintiff injury and the  
26 suffering from severe Pain Since 8-20-2014. The  
27 Defendants violated the Plaintiff rights under the  
28 Eighth Amendment to the United states

1 Constitution under cruel and unusual punishment,  
2 Deliberate Indifference, Serious Medical Needs,  
3 Negligence, Emotional Injury  
4

5 And fourteenth Amendment to the United States  
6 Constitution under due process  
7

8 And California code of Regulations title 15  
9 Section 3350 (4)  
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1 Defendant DR, ANG Physician and Surgeon is a  
2 member of the medical Review Committee that  
3 showed a Deliberate Indifference to the Plaintiff  
4 Serious medical needs by ignoring the severe  
5 chronic pain the Plaintiff been going through.  
6 On 2-4-2015 the Defendants had four months  
7 and had confirmation of the injury and a  
8 request for surgery was submitted by the Neurologist  
9 stating that the Plaintiff has a severe Disk Herniation  
10 at C-3-4 to the left side with a severe Compression  
11 of the cord and Deformation of the cord. And  
12 moderate Stenosis at C-5-6 to the left side and has  
13 pain running down his upper extremity down to the  
14 thumb and first finger and next finger of his left  
15 hand. And has spontaneous twitching and spasm  
16 of the left upper extremity. DR ANG denied surgery  
17 as an elective and pain could be manage with  
18 medication and the Plaintiff will be Paroling on  
19 July 15 2015. The Plaintiff has been prescribe several  
20 medications and none worked to allieviate the  
21 Severe Pain that the Plaintiff been going through.  
22 DR ANG said there wont be enough time to schedule  
23 surgery the Defendant had sufficient time from  
24 when they discovered the injury in 2-4-2015 from  
25 MRI results the Defendant failed to act  
26 appropriately to the Plaintiff injury and the Suffering  
27 from severe pain Since 8-20-2014. The Defendant  
28 Violated the Plaintiff rights under the Eighth



1 Amendment to the United States Constitution  
2 under Cruel and unusual punishment and  
3 Deliberate Indifference, Serious Medical Needs  
4 Emotional Injury, Negligence

5  
6 And fourteenth Amendment to the United States  
7 Constitution under due process

8  
9 And California Code of Regulations title 15  
10 Section 3350(4)

1 Defendant Eric Anderson Chief Executive Officer  
2 Health care(Safety) is a member of the medical  
3 Review Committee that showed a Deliberate  
4 Indifference to the Plaintiff serious medical Needs  
5 by ignoring the severe chronic pain the Plaintiff been  
6 going through. On 2-4-2015 the Defendants had four  
7 months and had confirmation of the injury and a  
8 request for surgery was submitted by the Neurologist  
9 stating that the Plaintiff has a severe compression  
10 of the cord and Deformation of the cord. And  
11 moderate stenosis at C-5-6 to the left side and has  
12 pain running down his upper extremity down to the  
13 thumb and first finger and next finger of his left hand.  
14 And spontaneous twitching and spasm of the left  
15 upper extremity. Eric Anderson denied surgery as an  
16 elective and pain could be manage with medication  
17 and the Plaintiff will be Paroling in July 15, 2015.  
18 The Plaintiff has been prescribe several medications  
19 and none worked to allieviate the severe pain that  
20 the Plaintiff been going through. Eric Anderson said  
21 there wont be enough time to schedule surgery the  
22 Defendants had sufficient time from when they  
23 discovered the injury in 2-4-2015 from MRI results  
24 the Defendants failed to act appropriately to the  
25 Plaintiff injury and the suffering from severe pain  
26 Since 8-20-2014. The Defendants Violated the  
27 Plaintiff rights under the Eighth Amendment to  
28 the United states Constitution under cruel and

1 unusual punishment and Deliberate Indifference,  
2 Serious medical Needs, Negligence, Emotional injury  
3

4 And fourteenth Amendment to the United States  
5 Constitution under due process  
6

7 And California Code of Regulations title 15  
8 section 3350(4)  
9



1 As I wrote in my complaint upon my admission  
2 to "B" yard at CUSP Plaintiff Pitts showed signs  
3 of suffering from a severe disabling pain.  
4 The Defendants prescribe physical therapy/  
5 medications Tegretol, Trileptal, carbamazepine,  
6 Oxcarbazepine, Slundac, Salsalate, Acetaminophen  
7 Naproxen, Ibuprofen, Tylenol and none of these  
8 medication worked to no alleviation of severe  
9 pain. The Defendants had confirmation of  
10 Plaintiff Pitts in jury On 2-4-2015 and on  
11 3-19-2015 when the Neurologist Requested  
12 Surgery soon as possible to relief the  
13 suffering from severe pain that Plaintiff  
14 Pitts been going through. Defendants' disregard  
15 that Plaintiff Pitts informed that the pain dis-  
16 ables him to shower, dress, sleep, eat, use toilet  
17 like normal people. On 4-21-2015 Defendants  
18 Informed Plaintiff Pitts that the pending surgery  
19 was denied due to it's an elective and can  
20 be manage with medication and that Plaintiff  
21 Pitts would be paroling in 7-15-2015.  
22 Defendants showed a Deliberate Indifference  
23 to Plaintiff Pitts serious medical needs by denying  
24 Surgery that left him suffering from severe unwanted  
25 disabling pain and Emotional Distress. The Def-  
26 endants Violated Plaintiff Pitts Eighth  
27 Amendment under United States Constitution  
28 under cruel and unusual punishment

## VI PRAYER for Relief

Wherefore, plaintiff respectfully pray that this court enter judgment:

Granting Plaintiffs Pitts a declaration that the acts and omissions described herein violate his rights under the Constitution and laws of the United States and California Code of Regulations

Granting Plaintiff Pitts compensatory damages in the amount of 100,000 against each Defendant jointly and severally

Plaintiff seeks punitive damages in the amount 80,000 Plaintiff seeks these damages against each defendant jointly and severally.

Plaintiff also seek a jury trial on all issues triable by jury.

Plaintiff also seek recovery of their cost in this suit and Medical bills

Any additional relief this court deems just, proper, and equitable

Dated 5-22-2015 Bradley Pitts Am 6465 CUSP

# VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief and as to those I believe them to be true I certify under penalty of perjury that the foregoing is true and correct.

Executed at CUSP May 22, 2015

Bradley S Pitts  
Bradley S Pitts



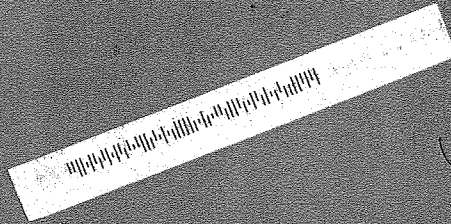
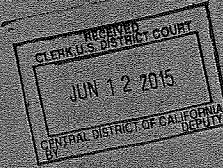
Bradley Spitts Am 6465  
B-4-11-6-L  
CVSP  
Blythe CA 92226

CHULAVILLA VALLEY  
STATE PRISON



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US District Court

LEGAL MAIL

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Clerk of the Court Pro se  
Central District of California  
312 N. Springst, Room 68  
Los Angeles CA 90012-4701

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